

## **REQUIREMENTS FOR AMERICAN REINVESTMENT AND RECOVERY ACT (ARRA) TRANSPORTATION ENHANCEMENTS FUNDING**

The Transportation Enhancements Grant Committee stated an intention to limit awards to \$300,000 in Federal funds for each project to spread out the funding state-wide, although exceptions may be made for compelling projects.

Projects must be eligible as Transportation Enhancements. See attached outline of Enhancement eligibility.

As the American Recovery and Reinvestment Act (ARRA) has a firm deadline for when project costs must be obligated with the Federal Highway Administration (FHWA), all local projects must meet strict deadlines for all approvals by VTrans and FHWA. Specifically projects must meet the following deadlines, which will all require substantial prior submittals, comment, and review by VTrans:

- November 1, 2009: FHWA Environmental Document (Categorical Exclusion) approved; VTrans Right-of-Way Clearance (including a State Access Permit for work in State Right-of-Way if required); and all required Federal, State, and Local permits obtained.
- November 15, 2009: Final Project Plans, Specifications, & Estimate and bid documents complying with all FHWA and State of Vermont requirements submitted to VTrans.
- December 1, 2009: Construction funding authorized by FHWA.
- January 15, 2010: Construction contract by Local Sponsor signed with contractor.

State Law requires a Local Match of 20 percent of the total cost for these projects. Half of this match (10 percent of the total) must be cash. Up to half of the match (10 percent of the total) can be in-kind contributions or work by sponsor employees, which must be properly valued and documented and approved prior to any work done.

ARRA Funding (and required match) is for reimbursement of the costs of Construction, Materials, and Construction Oversight/Engineering only. (Please keep that in mind when reviewing the Enhancements eligibility material.) Sponsors will be responsible for all costs of Administration, Design, and Permitting required to obtain authorization from VTrans to go to Construction.

Federal funding requires that all projects must be publicly and competitively bid and awarded per FHWA regulations. This means that projects cannot be constructed by Municipal Forces ("Force Account"). All iron and steel products must be certified per Buy America provisions, and Davis-Bacon Wage Rates will apply to all project activities.

Full-time Construction Oversight is required for all projects, and should be included in your cost estimates. To be eligible for reimbursement, all such Oversight/Engineering Services must also be competitively procured per Federal regulations.

At a minimum, ARRA Funding requires that the Sponsor obtain monthly reporting on the number of all employees, the number of hours worked, and the value of all payroll wages paid by both prime and sub-contractors performing eligible project activities, and these monthly reports must be submitted on time to the Agency.

Because requirements for ARRA-funded projects are still being developed by Federal authorities, there may be additional requirements beyond those stated here. Federal authorities have notified the State that personnel from Washington, DC, will be assigned to Vermont to conduct field inspections and make spot checks at ARRA-funded construction projects to ensure that all Federal requirements are being met.

Projects selected for ARRA funding will need to be administered by a municipality under a Cooperative Agreement managed by VTrans Local Transportation Facilities (LTF) Section. Municipalities hosting such projects shall be required to retain a Municipal Project Manager. Additionally, certifications mandated pursuant to the 2009 American Recovery and Reinvestment Act may need to be made by the chief executive of the respective municipality.

**For an electronic version of this application, please send a request to [curtis.johnson@state.vt.us](mailto:curtis.johnson@state.vt.us).  
For questions about the application please contact Curtis Johnson by phone at 802 828 0583.**

**TO BE CONSIDERED FOR ARRA ENHANCEMENTS FUNDING:**

Please fill out this Checklist and attach to it 1 set of the following materials at a minimum:

[If you have previously submitted an ARRA request for funding consideration, you must still at a minimum fill out and sign this checklist for consideration.]

Town/Sponsor:\_\_\_\_\_ Federal \$ Requested:\_\_\_\_\_

\_\_\_\_\_ 1. Provide a Full-Size Set of Complete Project Plans, if available, which should include the following:

Existing conditions and contours

All proposed work, limits of proposed work, and project demarcation fencing

Layouts and cross-sections

Existing Right-of-Way lines

Existing utilities and proposed relocations

Details and applicable current VTrans Standard Drawings

Permanent erosion control and stormwater facilities

Pay items and estimated quantities

General project notes

Project plans are required for Federal environmental and right-of-way reviews and construction procurement procedures. Projects without plans have little hope of complying with the required ARRA deadlines and are highly unlikely to receive an offer of funding.

\_\_\_\_\_ 2. Provide all detailed project specifications currently available

\_\_\_\_\_ 3. Provide a complete, current and detailed estimate of construction costs for your project.

\_\_\_\_\_ 4. Provide a 1 page summary describing your project and why you think you will be able to fulfill all requirements and to bid construction by 12/1/2009.

\_\_\_\_\_ 5. Provide a detailed map locating the project and indicating the extent of construction.

\_\_\_\_\_ 6. Provide a statement concerning the status of Right-of-Way required for this project, if any, including easements and acquisitions of any kind (including temporary construction easements). If you have draft ROW plans and documents and/or acquired easements, include those.

\_\_\_\_\_ 7. If this project involves construction in State Right-of-Way, include your approved Access Permit for construction or details on your contacts and reviews by the VTrans Utilities section towards obtaining the permit.

\_\_\_\_\_ 8. Provide a statement outlining the extent and number of Utility relocations required by your project and the status of your coordination with all affected utilities.

\_\_\_\_\_ 9. Provide a statement outlining your project's impact on wetlands, floodways or floodplains, or streambank buffers and your progress in obtaining any necessary reviews, permits or sign-offs.

\_\_\_\_\_ 10. If any part of your project is located within a Stormwater Impaired Watershed, please attach details on how you have addressed Stormwater in your design.

\_\_\_\_\_ 11. If your project involves or may involve any land with Hazardous/Residual Waste Liabilities, please address how these issues have been/will be resolved by 9/1/09 in a separate statement.

\_\_\_\_\_12. If your project requires State or Local permits, Act 250 permit or amendment, or U.S. Army Corps of Engineers or U.S. Coast Guard permits, please address how these permits are sure to be obtained by 11/1/09.

\_\_\_\_\_13. Provide a detailed outline of the sources of your local match and how they will be provided/made available.

Will you accept an award less than the full amount requested? \_\_\_\_\_YES \_\_\_\_\_NO

I hereby attest that the information contained in and attached to this application is accurate and complete to the best of our ability and that our organization is committed to providing the required match for any award. My organization understands that any willful misrepresentation of fact or circumstance contained in this application will be grounds for cancellation of any award made based upon this application.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Sponsor/Town

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**ALL APPLICATIONS** (the signed checklist and attachments) are due in hand or postmarked by Friday, May 15<sup>th</sup>, 2009 to:

Attn: Eileen Blake-Sayers  
Office of the Secretary of Transportation – 5th Floor  
One National Life Drive  
Montpelier VT 05633-5001

**Originals only will be accepted; no fax, electronic/.pdf, or late submissions will be accepted.  
No “additional” materials will be accepted after the deadline. Please do not send them.**

## Eligible Transportation Enhancement Activities

Transportation Enhancement (TE) Activities are the twelve different community-focused activities defined in Federal law. ***However, all projects must relate to surface transportation in a clear and demonstrable manner, and this relationship must be specifically addressed in your project application.*** Proximity to a highway or transportation facility alone is not sufficient to establish a relationship to surface transportation.

Below are the official Federal Highway Administration definitions of the twelve eligible TE activities, followed by TE program staff's guidance or VTrans policy for each activity.

1. ***Provision of Facilities for Pedestrians and Bicycles*** – Sidewalks, walkways or curb ramps; shared-use paths; bike lane striping, wide paved shoulders, bike parking and bus racks; off-road trails; bike and pedestrian bridges and underpasses.

Pedestrian and bicycle projects should focus on the elimination of barriers to walking and bicycling, and the implementation of a continuous system of walkways, pathways and crosswalks throughout the community. Emphasis on connectivity to existing bicycle and pedestrian facilities; young children, older adults and people with disabilities; pedestrian relationship to transit; and aesthetics and livability will be considered a plus. Pedestrian and bicycle projects that enhance larger transportation projects and which resolve conflicts between users of different modes in favor of pedestrians and bicyclists are encouraged. Applicants are discouraged from submitting proposals that appear to concentrate heavily on routine maintenance or rehabilitation of existing pedestrian facilities.

2. ***Provision of Safety and Educational Activities for Pedestrians and Bicyclists*** – Programs designed to encourage walking and bicycling.

Non-construction costs to provide safety training, facilitator fees and classes are eligible. Related training materials such as brochures, video tapes, limited staff salaries, and space rentals are also eligible. Proposals should define the time period and salaries as part of the local match to the project. Activities must show a relationship to surface transportation. Projects do not need to be located on or adjacent to a federal-aid highway route. Efforts should not duplicate those being conducted with other funds through state and community traffic safety programs.

3. ***Acquisition of Scenic Easements and Scenic or Historic Sites*** – Acquisition of scenic land easements, vistas and landscapes; purchase of buildings in historic districts or historic properties; preservation of farmland.

This category may be applied to the purchase, donation, transfer or trade of lands which possess significant aesthetic, historic, natural, visual or open space values, including agricultural land and property listed – or eligible to be listed – on the National Register of Historic Places.

4. ***Scenic or Historic Highway Programs (including the provision of Tourist and Welcome Center facilities)*** – Construction of turnouts and overlooks; visitor centers and viewing areas; designation signs and markers.

This category covers protection and enhancement of state or federally-designated scenic or historic highways. Funds are intended primarily for projects that will protect and enhance the scenic, historic, cultural, natural and archaeological integrity and visitor appreciation of an existing designated scenic or historic highway.

Tourist and welcome centers do not have to be located on a designated scenic or historic byway, but there must be a clear link to scenic or historic sites. It also does not need to be immediately adjacent to a federal-aid highway. The connection should account for the character of the area that makes it scenic. Existing and new centers may be considered. This may include construction costs for interiors and parking. The intent is not to repair or restore rest areas or parking areas, but rather to fund activities clearly related to scenic or historic programs and sites. The relationship to surface transportation must be identified. The centers must be publicly-owned and open to the public.

5. ***Landscaping and Other Scenic Beautification*** – Improvements such as street furniture, lighting; public art and landscaping along streets, historic highways, trails and interstate, waterfronts and gateways.

This category includes landscape planning, design and construction projects that enhance the aesthetic or ecological resources along transportation corridors, points of access, and lands qualifying for other categories of TE activities.

6. ***Historic Preservation*** – Preservation of buildings and facades in historic districts; restoration and re-use of historic buildings for transportation-related purposes; access improvements to historic sites and buildings.

Projects in this category should preserve or enhance historic preservation activities as they relate to the transportation system. Simple proximity to the transportation system alone will not qualify projects; however, if proximity is the primary relation to the transportation system, then the project must be within a designated scenic area, or alternate transportation route (such as a bikeway) as defined by the state or regional plan. The scenic area must be more than one site; it should be a district or corridor, probably with a number of specific sites. The project must be part of a larger transportation plan to enhance a particular scenic or historic route. The environment around the site must be of appropriate scenic value to the transportation corridor. Only outside façade renovation and necessary structural work will be funded, unless the inside is also used by the traveling public. Funding is subject to FHWA approval. Historic preservation activities may include the identification, evaluation, recording, documenting, interpreting, curating, acquisition, protection, rehabilitation, restoration and stabilization of an historic landscape, district, building, structure, object or site that is related to transportation and listed on – or eligible to be listed on – the National Register of Historic Places.

7. ***Rehabilitation and Operation of Historic Transportation Buildings, Structures, or Facilities*** – Restoration of railroad depots, bus stations and lighthouses; rehabilitation of rail trestles, tunnels and bridges.

This category includes historic railroad facilities and canals. Historic transportation buildings or structures associated with the operation, passenger and freight use, construction or maintenance of any mode of transportation where such buildings are listed on – or eligible to be listed on – the National Register of Historic Places, contributes to a National Register Historic District, or a local landmark or contributing resources within a local historic district designated by a local government.

8. ***Preservation of Abandoned Railway Corridors (including conversion for pedestrian or bicycle trails)*** – Acquisition of railway rights-of-way; planning, design and construction of multi-use trails; development of rail-with-trail projects; purchase of unused railway property for re-use.

This category includes the planning, acquisition, rehabilitation and development of rail corridors for public uses, including bicycle and pedestrian use, consistent with the goals of Category #1, Provision of Facilities for Pedestrians and Bicyclists. It permits the development and rehabilitation of privately-owned rail corridors open to the general public.

- 9. *Control and Removal of Outdoor Advertising*** – Billboard inventories or removal of illegal and nonconforming billboards; compensation to sign owners; developing guidelines for outdoor signs.

Activities under this category are rare due to Vermont's unique laws governing outdoor advertising. Priority shall be given to the removal of outdoor advertising signs in conjunction with other transportation activities. Expenditures made to remove existing signs, displays and devices must comply with a legal process that bases payment on an equitable appraisal.

- 10. *Archaeological Planning and Research*** – Site acquisition; research, preservation and interpretation; development of interpretive signs, exhibits and guides; inventories and surveys.

This category includes, but is not limited to, research on sites eligible for TE funds; experimental projects in archaeological site preservation and interpretation; planning to improve identification; evaluation and treatment of archaeological sites and using data from transportation-related archaeological sites. Data recovery, development of sensitivity models, research designs to guide future surveys and interpretation of sites is included.

- 11. *Environmental Mitigation of Highway Runoff and Vehicle-caused Wildlife Mortality*** – This category is for project-specific activities, rather than research and scoping studies. Activities include retrofitting a highway to reduce water pollution by creating a wetland to filter runoff, improving streams and drainage channels through landscaping to promote filtering and to improve the overall water quality conditions of receiving channels, or acquiring easements or building structures to mitigate vehicle-caused wildlife mortality.

This category is limited to projects that are in addition to current requirements and procedures for such mitigation and includes wetlands acquisition and restoration; detention and sediment basins, river clean-ups, and reconstruction of salt sheds that have a documented water pollution problem. Projects must demonstrate that a water pollution problem exists and that the proposed project will mitigate it. Projects that demonstrate aesthetic and ecological methods for mitigation are encouraged. Funds may not be used to finance normal environmental mitigation work. State of Vermont standards regarding water pollution and aquatic habitat alteration should provide applicable definitions for water quality standards under this category.

New to this activity is the provision for environmental mitigation to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity. Funding for reduction of vehicle-caused wildlife mortality is not limited to threatened and endangered species, and should be based on migration patterns, habitat use, and distribution and crossing characteristics of the wildlife through data collection on safety of motorists, habitat fragmentation and wildlife mortality.

- 12. *Establishment of Transportation Museums*** – Conversion of railway stations and historic properties to museums with transportation themes.

This category provides for the planning, design and construction of transportation museums. Facility operations and maintenance costs are not covered. Elements of a building or project that do not relate to surface transportation are not eligible. Museums must be open to the public and operated by a not-for-profit organization.

**Please feel free to contact Curtis Johnson, VTrans Enhancement Program, at 828-0583 with any questions about project eligibility.**